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February 14, 1997

VIA FIRST CLASS MAIL

Mr. Pat Evangelista
Emergency & Remedial Response Division
USEPA
290 Broadway, 19th Floor
New York, New York 10007-1866

**Re: River Terminal Development Company, South Kearny
Request for Information Under 42 USC §9601 et seq.
Diamond Alkali Superfund Site, Passaic River Study Area**

Dear Mr. Evangelista:

Enclosed please find River Terminal Development Company's Response to the USEPA's Request for Information dated December 24, 1996. Pursuant to agreement with the Agency, this response is being mailed on February 14, 1997. In addition, Exhibit G has not been included in this Response but will be forwarded to the Agency shortly.

As requested by the USEPA in its letter of December 24, 1996, a copy of this Response is also being forwarded to Ms. Amelia Wagner, Assistant Regional Counsel.

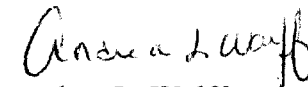
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Mr. Pat Evangelista
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However, due to the substantial burden and expense of copying the numerous exhibits attached hereto, we are submitting only one set of exhibits to your office. By copy of this letter we respectfully refer the Office of Regional Counsel to your office for copies of Exhibits A through S.

Very truly yours,


Andrea L. Wolff

ALW:lar
Enclosure
cc: Ms. Amelia Wagner

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**RIVER TERMINAL DEVELOPMENT COMPANY
RESPONSE TO THE USEPA'S
CERCLA 104(e) REQUEST DATED DECEMBER 24, 1996**

GENERAL OBJECTIONS AND EXPLANATORY MATERIAL

A. River Terminal Development Company (the "Company") objects to the information request to the extent it is overly broad, or seeks ancient or otherwise irrelevant information, the production of which is unduly burdensome and the value of which is minimal given the United States Environmental Protection Agency's (the "Agency" or "USEPA") authority under CERCLA §104(e)(1) to obtain information only "for the purposes of determining the need for response, or choosing or taking any response action under this subchapter or otherwise enforcing the provisions of the subchapter".

B. The Company objects to the information request to the extent it requires production of information or documents which contain confidential business information, attorney work product or which are covered by the attorney-client privilege.

C. Pursuant to agreement reached with the Agency (see letter attached hereto as Exhibit A), the Company is mailing this response to the Request for Information on or before February 14, 1997.

D. In a good faith effort to respond as completely as possible to the information request without imposing an undue burden on the Company, the Company has attached hereto as Exhibit B, an index given to the Company by prior owners listing drawings related to the former Western Electric facility (references to drawings related to other facilities of the prior owners have been redacted). The Company possesses some of the indexed drawings which were also provided by prior owners of the facility. After diligent review of the available indexed drawings, the Company has determined that Exhibits D through P, attached hereto, are the most comprehensive maps, blueprints and diagrams directly responsive to this request. The Company has not produced the remainder of the available indexed drawings as such production would be unduly burdensome and duplicative. The Company reserves the right to amend its response to this request in the event the EPA requests additional drawings listed in the index or otherwise identified in the Exhibits attached hereto, provided the requested drawing is in the possession of the Company.

RESPONSES

- 1) If your company did or does business under more than one name, list each name.

River Terminal Development Company also conducts business under the name RTC Properties, Inc., and previously conducted business under the name Union Minerals and Alloys Corp. Union Minerals and Alloys Corp. changed its name to RTC Properties, Inc. in or about August 1988.

- a) State the legal name of your company.

RTC Properties, Inc.

- b) How long has your company operated at the facility designated above?

The Company has operated at the facility located at 100 Central Avenue in Kearny, New Jersey since acquiring title in or about July of 1985.

- c) Please state the relationship between your company, RTC Properties, Inc., and Union Minerals and Alloys Corp.

The legal name of the Company is RTC Properties, Inc. which conducts business under the name River Terminal Development Company. In or about August 1988, Union Minerals and Alloys Corp. changed its name to RTC Properties, Inc.

- 2) Provide all information, including, but not limited to maps, blueprints, and diagrams that demonstrates the location on the site of:

- a) process, generating or manufacturing facilities;

The Company objects to this request on the ground that it is vague, overly broad and unduly burdensome and the terms "process, generating or manufacturing facilities" are undefined, vague and ambiguous. Without waiving the aforementioned objection, the Company currently uses Building 75 as a garage for the maintenance and repair of trucks and other vehicles. The area outside Building 75 is used as a gasoline and diesel fueling area. Waste oils associated with this operation are disposed of

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off-site pursuant to New Jersey State regulations. The location of Building 75 is depicted in Exhibit D.

The Company further states that the Company leases lots, buildings and structures at the facility to tenants whose primary uses are warehousing, distribution and offices. Currently, one tenant, MJM, located in Building 89 as depicted in Exhibit D, manufactures decorative concrete structures.

Exhibit D was provided to the Company by prior owners of the facility, but reflects the current location of Buildings 75 and 89.

The prior locations of process, generating or manufacturing facilities are discussed and depicted in the Amended Environmental Cleanup Plan, July 1985 (the "Cleanup Plan"), attached hereto as Exhibit Q, prepared and submitted to the New Jersey Department of Environmental Protection ("NJDEP") by or on behalf of AT&T Technologies, Inc. pursuant to ISRA, Case Number E84025. Prior uses of the buildings at the site by prior owners are listed in Exhibit C.

- b) floor drains or other disposal drains in those facilities;

See the Company's response to request no. 2(a). The general piping of Building 75 is depicted in Exhibit N. The oil/gas separator depicted in drawing no. 195-3844, attached hereto as Exhibit N, is not used by the Company; the trenches and floor drains, except those located in the car wash area, have been sealed. The drains located in the car wash area are connected to the sanitary sewer.

After diligent inquiry, the Company has not discovered any floor drains in Building 89 and is not aware of any maps, blueprints or diagrams or other information demonstrating the location of floor drains and disposal drains located in Building 89.

The prior location of floor drains and other disposal drains in process, generating or manufacturing facilities previously located at the site are depicted in Exhibits D, E and F and are discussed in the Cleanup Plan attached hereto as Exhibit Q.

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c) waste water collection, transport, and disposal systems, including any waste water treatment facilities, if any;

The Company objects to this request on the grounds that it is overly broad and the terms "waste water collection, transport and disposal systems" are undefined vague and ambiguous. Without waiving the aforementioned objections, the Company states that currently there are no waste water collection, transport and disposal systems, as it understands those terms, in use at the facility.

The prior location of a waste treatment plant is discussed in Appendix C of the Cleanup Plan attached hereto as Exhibit Q, and is depicted as Building 186 in various site maps attached thereto. Building 186 has been partially demolished.

d) any catch basins or lagoons;

The Company objects to this request on the ground that the terms "catch basins" and "lagoons" are undefined vague and ambiguous. Without waiving the aforementioned objection the Company states that the current approximate location of catch basins for collecting storm water runoff are depicted in Exhibit G which will be provided at a later date.

Drawings provided by prior owners illustrating the design and/or location of catch basins at the facility are attached hereto as Exhibits D-F, H-J and P.

e) the sanitary sewer system, including any connections between the process or waste water treatment systems at the site and the sanitary sewer system;

The Company objects to this request on the grounds that the terms "process" and "waste water treatment systems" are undefined, vague and ambiguous. Without waiving this objection, the Company states that currently, there are no process or waste water treatment systems, as it understands those terms, in use at the facility.

The sanitary sewer system is depicted in drawing no. 195-1876B, attached hereto as Exhibit E. The attached drawing was provided by prior owners of the facility, but

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after diligent inquiry, the Company believes the drawing accurately depicts the general configuration of the sanitary sewer system as it currently exists at the facility. After diligent inquiry, the Company has not discovered any maps, blueprints or diagrams depicting, or information regarding current connections to the sanitary sewer system.

Additional drawings provided by prior owners illustrating the sanitary sewer system at the facility are attached hereto as Exhibits D, F, H, I and K-P. The waste treatment plant used by prior owners of the facility is discussed in Appendix C of the Cleanup Plan attached hereto as Exhibit Q, and is depicted in various site maps attached thereto.

f) the storm sewer system;

The storm sewer system is depicted in drawing no. 195-1876A, attached hereto as Exhibit D. The attached drawing was provided by prior owners of the facility, but after diligent inquiry, the Company believes the drawing accurately depicts the general configuration of the storm sewer system as it currently exists at the facility.

Additional drawings provided by prior owners illustrating the storm sewer system at the facility are attached hereto as Exhibits E, F and H-P.

g) any connections between the process or waste water treatment systems at the site and the Passaic River; and

The Company objects to this request on the ground that the terms "process" and "waste water treatment systems" are undefined, vague and ambiguous. Without waiving this objection, the Company states that currently, there are no process or waste water treatment systems in use at the facility.

The waste treatment plant used by prior owners of the facility is discussed in Appendix C of the Cleanup Plan attached hereto as Exhibit Q, and is depicted in various site maps attached thereto.

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h) provide any information that you may have obtained from prior owners or operators of this site, including but not limited to maps, blueprints, and diagrams that demonstrate the prior locations on the site of a) - g) above.

See General Objections and Explanatory Material, D. The Company objects to this request on the grounds that it is overly broad and unduly burdensome. Without waiving the aforementioned objection, the Company states that maps, blueprints, and diagrams received from prior owners or operators of the facility that demonstrate prior locations of a) through g) above are discussed in a) through g) above and are listed in the attached Index of Drawings.

3) Please provide information on the installation, location and use of all outfalls, permitted or unpermitted, that are currently or were formerly used at the facility.

The Company objects to this request on the grounds that the term "outfall" is undefined, vague and ambiguous. Without waiving the aforementioned objection, the Company states that outfalls, as it understands this term, for storm water runoff are depicted in Exhibits D and E.

Exhibits D and E were provided by prior owners of the facility, but after diligent inquiry, the Company believes the drawings accurately depict the location of storm water outfalls as they currently exist at the facility.

Additional drawings provided by prior owners relating to outfalls at the facility are attached hereto as Exhibits I, J and O.

a) Please indicate which are currently in use and which, if any, have been removed or closed, and, if so, how and when.

Based on diligent inquiry, the Company states that the outfalls depicted in Exhibits D and E for storm water runoff are currently in use and the Company has not discovered and is not aware of any information or documents relating to the removal or closure of any outfalls.

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b) Provide copies of any diagrams, maps, drawings, plans, or specifications that describe the outfalls.

See the Company's response to request 3.

4) a) Please provide all documents containing the results of any sampling of the soil, water, air or other media at the Site performed by your company or performed by another entity, but which is in your possession. Include any data relating to any on-site waste water system, the sanitary or storm sewer system, outfalls to the Passaic River, and/or the Passaic River.

The Company objects to this request on the grounds that it is overly broad and unduly burdensome. Without waiving the aforementioned objection, the Company states that sampling of soil, groundwater and other media at the facility was conducted on behalf of AT&T Technologies, Inc. and/or Lucent Technologies, Incorporated pursuant to ISRA Case No. E84025. Sampling results are contained in the Cleanup Plan, attached hereto as Exhibit Q and the Results of the June 1996 Groundwater Sampling Event and Evaluation of Groundwater Conditions, attached hereto as Exhibit R.

On information and belief, documents containing the results of sampling of the soil, water, air or other media at the facility, may be in the possession of the New Jersey Department of Environmental Protection and Lucent Technologies, Incorporated 131 Morristown Road, Basking Ridge, New Jersey 07920.

b) Please provide the results of any sampling of the soil, water, air or other media performed for or by NJDEP.

See the Company's response to request 4(a).

5) a) From whom did your company purchase the property and in what year? If your company subsequently sold the property, to whom did your company sell it and in what year? Please provide copies of any deeds and documents of sale.

The Company objects to this request on the ground that it is overly broad and seeks information not related to "the purpose of determining the need for response, or choosing or taking any response action" or otherwise enforcing CERCLA, 42 U.S.C. 9601 et seq. Without waiving and subject to the aforementioned objection, the Company purchased the property from AT&T

Technologies, Inc. in 1985, pursuant to deed dated July 29, 1985 and Agreement of Sale dated April 16, 1984 and subsequent Amendments, attached hereto as Exhibit S.

Business and other information not related to the scope of inquiry under CERCLA § 9604 are excluded from the Agreement and the Amendments. Certain amendments to the April 16, 1984 Agreement of Sale unrelated to the scope of inquiry under CERCLA § 9604 are also excluded from this response.

b) To the extent that you know, please provide the names of all parties who owned or operated the facility during the period from 1925 through the present. Describe the relationship, if any, of each of those parties, with your company.

Based on information and belief, the Company states that Western Electric Company, Inc. and AT&T Technologies, Inc. owned or operated the facility until approximately 1985 when Union Minerals and Alloys Corp. (now known as RTC Properties, Inc.) acquired the property. Western Electric Company, Inc. and AT&T Technologies, Inc. have no relationship with the Company. See the Company's response to request 1(c).

6) Provide the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding. Please include the names and addresses of former employees who were contacted to respond to any of the questions.

The following persons assisted in the preparation of these responses:

*Robert Neu
Vice President Operations
River Terminal Development Company
100 Central Avenue, Building 30, 6th Floor
South Kearny, New Jersey 07032
(201) 589-0063*

Mr. Neu has personal knowledge regarding these responses and provided maps, blueprints and diagrams responsive to requests 2-4.

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***Martin Ytuarte
Executive Vice President
River Terminal Development Company
100 Central Avenue, Building 30, 6th Floor
South Kearny, New Jersey 07032
(201) 589-0063***

***Mr. Ytuarte has personal knowledge regarding these responses
and provided documents responsive to request nos. 2-4.***

***Andrew Feuerstein
Secretary
RTC Properties, Inc.
79 Fifth Avenue
Suite 1800
New York, New York 10003
(212) 604-0710***

***Mr. Feuerstein provided documents responsive to request no. 5
and has personal knowledge regarding responses 1 and 5(a).***

***Attorneys at Lowenstein Sandler, including Michael L. Rodburg
and Andrea L. Wolff (65 Livingston Avenue, Roseland, New
Jersey 07068, (201) 992-8700) assisted in the preparation of these
responses and have no personal knowledge of the responses in
this document.***

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LIST OF EXHIBITS

EXHIBIT A

Letter to EPA dated January 22, 1997 extending time to respond

EXHIBIT B

Index of Drawings provided by prior owners

EXHIBIT C

Prior uses of buildings located at the former Western Electric facility

EXHIBIT D

Drawing No. 195-1876A, Plot Plan of Storm Water Mains

EXHIBIT E

Drawing No. 195-1876B, Plot Plan of Storm Water Mains & Sanitary Sewers

EXHIBIT F

1) Drawing No. 195-1876, Plot Plan of Storm Water Mains & Sanitary Sewers
(Superseded)

EXHIBIT G

Drawing No. 195-1876A with notations indicating approximate location of new catch basins installed by River Terminal Development Company (to be provided)

EXHIBIT H (Yards)

- 1) Drawing No. 195-1364, Storm Water Main for Road and Yard Drainage, South Yard
- 2) Drawing No. 195-1368, Storm Water Mains and Sanitary Sewer, North Yard
- 3) Drawing No. 195-55640, Outside Underground Piping Plan, Yard
- 4) Drawing No. 195-55642, Underground Piping & Details, Yard
- 5) Drawing No. 195-5142, Cable Reel Storage Yard Paving, Building 11, Yard

EXHIBIT I (Central Avenue Improvement)

- 1) Drawing No. 195-1631, Central Ave. Improvement Storm Water Drain & Sanitary Sewer, Plan and Profile
- 2) Drawing No. 195-1632, Central Ave. Improvement Storm Water Drain & Sanitary Sewer, Plan and Profile
- 3) Drawing No. 195-1633, Central Ave. Improvement Storm Water Drain & Sanitary Sewer, Structural Details
- 4) Drawing No. 195-1634, Central Ave. Improvement Storm Water Drain & Sanitary Sewer, Structural Details

EXHIBIT J (Parking Lots)

- 1) Drawing No. 195-3410, Parking Lots, Paving & Drainage Layout
- 2) Drawing No. 195-3411, Parking Lots, Manholes & Misc. Details

EXHIBIT K (Buildings 11-15)

- 1) Drawing No. 195-101, General Basement Piping Layout, Buildings 11 & 12
- 2) Drawing No. 195-102, General Basement Piping Layout, Buildings 10, 13, 14 & 15
- 3) Drawing No. 105-135, Arrangement and Details of 36" Storm Water Piping and Outlet, Buildings 12, 13, 14, 15

EXHIBIT L (Buildings 16, 17, Group 20, Group 30, 32, 33, 35, 39 and 40)

- 1) Drawing No. 195-668, Plumbing Pipes in Tunnel No. 3, Buildings 17-20
- 2) Drawing No. 195-669, Arrangement of Stormwater Main, Buildings 16, 17 West Half of Group 20
- 3) Drawing No. 195-670, Arrangement of Stormwater Main, East Half of Group 20 and Group 30
- 4) Drawing No. 195-705, Details of Storm Water Main, Buildings 16, 17, Groups 20 and 30
- 5) Drawing No. 195-665, Arrangement and Details of Sump Pumps, Building 17, 20 and 30
- 6) Drawing No. 195-695, Arrangement & Details of Sump Pumps, Buildings 17, 20 and 30
- 7) Drawing No. 195-1103, General Arrangement of Sump Pump, Building 33
- 8) Drawing No. 195-702, Plumbing Pipes in Basement, Buildings 30-31, 32 & 35 W
- 9) Drawing No. 195-1100, Basement Piping General Arrangement, Buildings 30, 32, 33, 35 & 39
- 10) Drawing No. 195-58248, General Piping Plan, Building 40

EXHIBIT M (Buildings 71 & 72)

Drawing 195-1557, General Piping Plan, Buildings 71 & 72

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EXHIBIT N (Building 75)

- 1) Drawing No. 195-3835, Pile and Location Plan, Building 75
- 2) Drawing No. 195-3844, General Piping and Ventilation, Building 75

EXHIBIT O (Building 85)

- 1) Drawing No. 195-1440, 36" Diam. Storm Sewer, Plan, Sections and Details, Building 85
- 2) Drawing No. 195-1441, General Piping Plan, Sections and Details of Connection for Building 85
- 3) Drawing No. 195-1442, General Piping Plan, Sections and Details, Tunnel Between Buildings 80 & 85
- 4) Drawing No. 195-1443, General Piping, Plan Sections and Details, Building 85

EXHIBIT P (Buildings 170 and 171)

- 1) Drawing No. 195-3582, New Manhole & Sanitary Sewer Main, Building 170 South
- 2) Drawing No. EPK-25107, Storm and Sanitary Drainage, Building 170
- 3) Drawing No. 195-5107, Relocated Storm Water Sewer & Drains - South Site, Building 170
- 4) Drawing No. EPK-2728, New Manhole & Sanitary Sewer Pipe, Building 170 South
- 5) Drawing No. 195-55740, Underground Piping Plan & Details, Building 171

EXHIBIT Q

Amended Environmental Clean-up Plan, Kearny Works, AT&T Technologies, Inc., July 1985.

EXHIBIT R

Results of the June 1996 Groundwater Sampling Event and Evaluation of Groundwater Conditions, August 1996.

EXHIBIT S (Documents of Sale)

- 1) Agreement for the Sale and Purchase of Real Estate dated April 16, 1984
- 2) February 11, 1985 Amendment to Purchase Agreement
- 3) June 28, 1985 Amendment to Purchase Agreement
- 4) July 24, 1985 Amendment to Purchase Agreement and attached July 8, 1985 letter from NJDEP
- 5) Two letters from AT&T to Union Minerals and Alloys Corp. dated July 29, 1985.
- 6) Deed from AT&T Technologies, Inc. to Union Minerals and Alloys Corp. dated July 29, 1985
- 7) Bill of Sale dated July 29, 1985

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of New Jersey:

County of Hudson:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's response thereto should become known or available to the company.

RTC PROPERTIES, INC.

By: Martin F. Ytuarte

NAME (print or type)

Executive Vice President

TITLE (print or type)

By Martin F. Ytuarte
SIGNATURE

Sworn to before me this
day of FEB. 13TH, 1997

Carolyn Burton
Notary Public

CAROLYN BURTON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires July 14, 1998

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